

MINUTES  
TOWN OF MILLIKEN  
TOWN BOARD OF TRUSTEES  
Milliken Community Complex  
March 8<sup>th</sup>, 2006  
7:00 p.m.

Attendance: Mayor Linda Measner, Mayor Pro-Tem Janie Lichtfuss, Trustees Pat Onorato, Milt Tokunaga, Roger Frank, Gary Frank, and Peggy Wakeman. Also present were Town Engineer Larry Ketcham, Finance Director Diana Vasquez, Public Works Director Mike Woodruff, Police Chief Jim Burack, Senior Coordinator Lois Ann Onorato, Town Clerk Gayle Martinez, Town Manager J.R. Schnelzer, Town Attorney Bruce Fickel, press and audience were also present.

**PUBLIC HEARINGS**

**Flack Annexations 1-6 and PUD Zoning-** Mayor Measner asked to have the item postponed until March 22<sup>nd</sup>. Dwayne Flack who was in the audience consented to postponing this item until the 22<sup>nd</sup> of March.

**PLEDGE OF ALLEGIANCE**

Mayor Measner led the audience in the Pledge of Allegiance

**ADDITIONS TO THE AGENDA**

Town Clerk Martinez asked to have item G-Revised Water Ordinance and item H-Revised Sewer Ordinance moved to the consent agenda. Mayor Measner asked to have item M added to the agenda which will be an executive session for a personnel matter.

**AUDIENCES WITH INDIVIDUALS**

**Jim Gardner 811 Broad Street** handed out a letter to the Board and then read the letter which voicing his concerns about the Executive Session of December 14<sup>th</sup>, noting that Executive Sessions need to be recorded per the new law signed by the Governor. Mayor Measner asked Attorney Fickel to contact Mr. Gardner.

**REPORTS FROM BOARD MEMBERS REGARDING OTHER MEETINGS**

There were no reports.

**CONSENT AGENDA**

Approval of the final list of bills for March 8<sup>th</sup>, 2006, approval of minutes for February 22, 2006, approval of Revised Water Ordinance, and Revised Sewer Ordinance.

**Motion** to approve was made by Mayor Pro-Tem Lichtfuss, seconded by Trustee Roger Frank.

**Vote:** All in favor none opposed motion carried.

### **ACTION AGENDA**

#### **Annual Review for Use by Special Review –Parking of Tractor-Gavito**

Laura Gavito was present. Mayor Pro-Tem Lichtfuss asked Mrs. Gavito and Police Chief Burack if there had been any complaints. They both answered that there had been none.

**Motion** to approve the use by special review for another year was made by Trustee Wakeman, seconded by Mayor Pro-Tem Lichtfuss

**Vote:** All in favor none opposed motion carried.

#### **Annual Review for Use by Special Review –Parking of Tractor-Pfannenstiel**

Mike Pfannenstiel was present. Trustee Gary Frank asked Mr. Pfannenstiel and the Police Chief if there had been any complaints. They both answered that there had been no complaints.

**Vote:** All in favor none opposed motion carried.

#### **Kersey Well Users Irrigation Lease**

Town Engineer Larry Ketcham explained that by agreeing to the lease the Town would be bringing revenue into the Town on water that would be going down the river as surplus. Engineer Ketcham noted that the Town has 29.45 feet of surplus water and that the Town would receive \$150.00 per acre foot of water for a total of \$4,417.50 for the year lease. Mayor Pro-Tem Lichtfuss asked if there was an escape clause in the agreement if the water was needed Engineer Ketcham answered that there was a clause if the water was needed by the Town.

**Motion** to authorize Staff and the Mayor to finalize the water lease agreement of Kersey Well Users Association for irrigation water in 2006 for up to 29.45 acre-feet was made by Mayor Pro-Tem Lichtfuss, seconded by Trustee Onorato

**Vote:** All in favor none opposed Motion carried.

#### **Frank Farms Paving Issue**

Engineer Ketcham noted that staff has been working with John Dougherty and Craig Hau with Colorado Quality Homes, LLD., on an agreement to install the

final pavement improvements in Phase 4 of Frank Farms Subdivision. Engineer Ketcham noted that he and Attorney Fickel have negotiated the best possible agreement. The agreement has Colorado Quality Homes paying an extra \$1,525.00 for each building permit; and the Town agrees to allocate the standard building permit fee for street improvements for the same building permits to the completion of the final paving improvements at the Frank Farms subdivision. The Town committed to bid and construct these improvements in 2006 with Colorado Quality Homes guaranteeing a specified number of building permit, or prepayment of street fees to pay the specified amount of dollars back to the Town. Motion to approve was made by Trustee Tokunaga, seconded by Trustee Roger Frank.

**Vote:** All in favor none opposed Motion carried.

#### **Hillsborough Ditch Crossing Agreement**

Town Engineer Larry Ketcham noted that this request will not be needed as the Boards signatures is not required

#### **Executive Session to Receive Legal Advice and Instruct Negotiator**

**Motion** to go into Executive session with the Board and Attorney Fickel was made by Trustee Onorato, seconded by Trustee Wakeman.

**Vote:** All in favor none opposed motion carried

#### **\*Back in Session at 7:50\***

Upon return from executive session **Motion** to accept a settlement agreement for early retirement of Town Administrator J.R. Schnelzer was made by Trustee Onorato, seconded by Trustee Wakeman.

**Discussion:** Mayor Measner read a letter thanking Administrator Schnelzer for his time to the Town and for all his accomplishments. Trustee Wakeman also thanked Administrator Schnelzer and noted she would have fond memories of working with him.

**Vote:** All in favor none opposed Motion Carried.

#### **Executive Session to Discuss a Personnel matter**

**Motion** to have the Board, Attorney and Public Works Director go into Executive Session was made by Trustee Wakeman, seconded by Trustee Onorato.

**Vote:** All in favor none opposed. Motion carried.

**\*Back in session at 8:40 p.m.\***

Attorney Bruce Fickel noted that some problems and opportunities had been created by the actions that had been taken tonight. He invited staff to talk individually with the Board and noted nothing permanent would be done until after the election. Consensus was to continue on with the meeting that had been scheduled for March 9<sup>th</sup> to speak with each department head.

### **GIS Technician**

Engineer Ketcham noted that he was planning to advertise for the position this coming week as it had been approved in the budget.

**Jim Gardner** of 811 Broad Street stated that he felt it would behoove the Town to start advertising for a Manager as soon as possible as it will take 60 to 90 days of advertising to get candidates. By advertising now it would give the new board a jump start on the process.

### **Adjournment**

Mayor Measner adjourned the meeting at 8:45.

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Gayle Martinez, Town Clerk

Approved by the Board of Trustees

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Linda L. Measner, Mayor